

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY JUNE 11, 2003  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: KENNETH MEERSCHAERT, JR.  
JANET DUNN  
DINO F. BUCCI, JR.  
CHARLES OLIVER

ABSENT: None.

Also in attendance: Jerome R. Schmeiser, Community Planning Consultant  
Larry Dloski, Township Attorney  
James Van Tiflin, Project Manager for Spalding DeDecker &  
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

1. Roll Call

Clerk KOEHS called the Roll. All members present.

2. PLEDGE OF ALLEGIANCE

3. Approval of Agenda Items

**MOTION by BUCCI seconded by OLIVER to approve the agenda with the stated addenda's.**

**MOTION carried.**

4. Approval of Bills

**MOTION by DUNN seconded by OLIVER to approve both Bill Runs as presented.**

**MOTION carried.**

5. Approval of the Meeting Minutes

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**MOTION by OLIVER seconded by MALBURG to approve the May 28, 2003 Meeting Minutes as submitted.**

**MOTION carried.**

6. Public Comments (Non Agenda items only - 3 minute time limit)

Public Portion: Kevin Karwowicz, Township resident reviewed his concerns regarding control of the Township and the importance of ordinance enforcement. Mr. Karwowicz presented letters dated June 3, 2003 to the Board and reviewed his concerns. Vicky Selva, Township Resident, representing Broughton Road residents. Mrs. Selva submitted the drafted letter signed by Broughton Road residents to the Township Board of Trustees and reviewed concerns of the condition of Broughton Road. Chris Smith, Township Resident stated his concerns of Urban Issues in Macomb Township. The Public Hearing closed at 7:15 P.M.

**PUBLIC HEARING:**

7. Request to Adopt Resolution No 2; Emerald Green Subdivision S.A.D. Retention Basin Section 5.

Supervisor BRENNAN opened the Public Hearing at 7:15P.M.

**MOTION by BUCCI seconded by DUNN to close the Public Hearing at 7:16 P.M.**

**MOTION carried.**

**MOTION by OLIVER seconded by MALBURG to move forward and approve the Resolution No. 2; Emerald Green Subdivision S.A.D. Retention Basin Section 5 as follows:**

**RESOLUTION NO. 2**

**Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on June 11, 2003, at 7:00 o'clock P.M., Eastern Daylight Savings Time.**

**PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.**

**ABSENT: None.**

**The following preamble and resolution were offered by Member OLIVER and supported by Member MALBURG.**

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**WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated May 14, 2003, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a detention basin as described in Exhibit "A" attached hereto; and**

**WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 1967, as amended, (the "Act"), proper notice having been given, a hearing was held on June 11, 2003, on creation and maintaining the detention basin, including but not limited to, the operation and maintenance of pumps and appurtenances, the cutting of grass and removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the detention basin, by special assessment was approved; and**

**WHEREAS, the Special Assessment District consists of Lots 1 through 102, inclusive, Emerald Green Subdivision (the "Plat"), and as described in Exhibit "B" attached hereto, as approved by the Township; and**

**WHEREAS, Lots 1 through 102, inclusive, within the Plat are benefited by the detention basin; and**

**WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the detention basin, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD  
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

- 1. That the Special Assessment District created by resolution on May 14, 2003 is confirmed. The boundaries of the Special Assessment District are more particularly described in Exhibit "B" attached to this Resolution and made a part hereof.**
- 2. That the authority to defray the cost of operating and maintaining the detention basin by special assessment on the property benefited thereby as adopted by the Township by resolution on May 14, 2003, and approved a public hearing on June 11, 2003 is confirmed.**
- 3. That in the event the Township has or intends to expend funds for the maintenance and operation of said detention basin, the Township shall prepare a special assessment roll, determine the annual cost of the operation and maintenance of the detention basin, establish an annual special**

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- assessment levy, and prepare a plan to spread the assessment levy of each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the detention basin multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, which includes all lots in Windings Creek Subdivision, all lots in Emerald Green Subdivision and certain vacant land being property tax identification number 08-05-200-003 when and if it is developed.
4. That after the determination of the annual cost of the operation and maintenance of the detention basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.
  5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: OLIVER, MALBURG, BUCCI, DUNN, MEERSCHAERT, KOEHS,  
BRENNAN.

NAYS: NONE.

ABSENT: NONE.

**RESOLUTION DECLARED ADOPTED.**

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Michael D. Koehs  
Macomb Township Clerk

**MOTION carried.**

8. Request to Adopt Resolution No 2; Sycamore Estates Subdivision S.A.D. Retention Basin Section 26.

Supervisor BRENNAN opened the Public Hearing at 7:17 P.M.

**MOTION by DUNN seconded by BUCCI to adopt Resolution No 2; Sycamore Estates Subdivision S.A.D. Retention Basin Section 26 as follows involving lots 1-76 as follows:**

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**RESOLUTION NO. 2**

**Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on June 11, 2003, at 7:00 o'clock P.M., Eastern Daylight Savings Time.**

**PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.**

**ABSENT: None.**

**The following preamble and resolution were offered by Member DUNN and supported by Member BUCCI.**

**WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated May 14, 2003, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin (the "basin"); and**

**WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 1967, as amended, (the "Act"), proper notice having been given, a hearing was held on June 11, 2003, on creation and maintaining the sedimentation basin, including but not limited to, the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basin, by special assessment was approved; and**

**WHEREAS, the Special Assessment District consists of proposed Lots 1 through 76, inclusive, Sycamore Estates Subdivision (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "A" attached thereto; and**

**WHEREAS, Lots 1 through 76, inclusive, within the Plat are benefited by the sedimentation basin; and**

**WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the sedimentation basin, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

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1. That the Special Assessment District created by resolution on May 14, 2003, and approved at a public hearing on June 11, 2003, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "A" attached to this Resolution and made a part hereof.
2. That the authority to defray the cost of operating and maintaining the sedimentation basin by special assessment on the property benefited thereby as adopted by the Township by resolution on May 14, 2003, and approved at a public hearing on June 11, 2003 is confirmed.
3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sedimentation basin, the Township shall prepare a special assessment roll, determine that annual cost of the operation and maintenance of the sedimentation basin, establish an annual special assessment levy, and prepare a plan to spread the assessment levy on each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the sedimentation basin multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, together with all lots contained within the Sycamore Estates Subdivision covered by this Special Assessment District.
4. That after the determination of the annual cost of the operation and maintenance of the sedimentation basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the annual special assessment levy and the plan to spread the annual special assessment.
5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: DUNN, BUCCI, MEERSCHAERT, OLIVER, MALBURG, KOEHS,  
BRENNAN.

NAYS: NONE.

ABSENT: NONE.

RESOLUTION DECLARED ADOPTED.

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**Michael D. Koehs**  
**Macomb Township Clerk**

**MOTION carried.**

9. Request to Adopt Resolution No 2; Sycamore Estates Subdivision S.A.D. Retention Basin Section 26.

**MOTION by KOEHS seconded by OLIVER to close the Public Hearing at 7:18P.M.**

**MOTION carried.**

**MOTION by DUNN seconded by KOEHS to adopt Resolution No 2; Sycamore Estates Subdivision S.A.D. Retention Basin Section 26 involving lots 77-118 as follows:**

**RESOLUTION NO. 2**

**Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on June 11, 2003, at 7:00 o'clock P.M., Eastern Daylight Savings Time.**

**PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.**

**ABSENT: None.**

**The following preamble and resolution were offered by Member DUNN and supported by Member MALBURG.**

**WHEREAS, the Macomb Township Board (the "Township") has passed a resolution dated May 14, 2003, establishing a Special Assessment District subject to a public hearing, for the purpose of maintaining and operating a sedimentation basin (the "basin"); and**

**WHEREAS, pursuant to Section 192a(2) and 192a(5) of Act 288, P.A. 1967, as amended, (the "Act"), proper notice having been given, a hearing was held on June 11, 2003, on creation and maintaining the sedimentation basin, including but not limited to, the operation and maintenance, the cutting of grass and the removal of weeds and other debris, by special assessment on the property benefited thereby. At such hearing, the establishment of the Special Assessment District and defraying the cost of operating and maintaining the sedimentation basin, by special assessment was approved; and**

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**WHEREAS, the Special Assessment District consists of proposed Lots 77 through 118, inclusive, Sycamore Estates Subdivision No. 2 (the "Plat"), as approved by the Township, located on a portion of the land described in Exhibit "A" attached thereto; and**

**WHEREAS, Lots 77 through 118, inclusive, within the Plat are benefited by the sedimentation basin; and**

**WHEREAS, pursuant to Section 192a(3) of the Act allows the Township to, subject to approval at public hearing, determine the annual cost of the operation and maintenance of the sedimentation basin, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD  
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

- 1. That the Special Assessment District created by resolution on May 14, 2003, and approved at a public hearing on June 11, 2003, is confirmed. The boundaries of this Special Assessment District are more particularly described in Exhibit "A" attached to this Resolution and made a part thereof.**
- 2. That the authority to defray the cost of operating and maintaining the sedimentation basin by special assessment on the property benefited thereby as adopted by the Township by resolution on May 14, 2003, and approved at a public hearing on June 11, 2003 is confirmed.**
- 3. That in the event the Township has or intends to expend funds for the maintenance and operation of said sedimentation basin, the Township shall prepare a special assessment roll, determine that annual cost of the operation and maintenance of the sedimentation basin, establish an annual special assessment levy, and prepare a plan to spread the assessment levy on each lot within the Special Assessment District be equal to the annual cost of the operation and maintenance of the sedimentation basin multiplied by a fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Special Assessment District, together with all lots contained within the Sycamore Estates Subdivision covered by this Special Assessment District.**
- 4. That after the determination of the annual cost of the operation and maintenance of the sedimentation basin, the Township shall give notice of and hold a public hearing to approve such costs, the establishment of the**



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**annual special assessment levy and the plan to spread the annual special assessment.**

- 5. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments, and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect, or make operative any and all matters and things authorized or permitted to be done in the herein above resolution.**

**AYES: DUNN, MALBURG, MEERSCHAERT, BUCCI, OLIVER, KOEHS, BRENNAN.**

**NAYS: NONE.**

**ABSENT: NONE.**

**RESOLUTION DECLARED ADOPTED.**

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**Michael D. Koehs**  
**Macomb Township Clerk**

**MOTION carried.**

**PLANNING COMMISSION:**

Addition

- 9a. Industrial Development District; Rock Tops Inc. Permanent Parcel No. 08-17-300-013.**

Supervisor BRENNAN reviewed the request.

Public Portion: None.

Petitioner: Eric Flynn present.

**MOTION by DUNN seconded by MALBURG to grant the approval to create the Industrial Development District; Rock Tops Inc. Permanent Parcel No. 08-17-300-013 as follows:**

**RESOLUTION**

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**Minutes of a Regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on June 11, 2003 at 7:00 P.M. Eastern Daylight Savings Time.**

**PRESENT:** John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Charles Oliver, Kenneth Meerschaert, Jr.  
**ABSENT:** None.

**The following preamble and resolution were offered by Member DUNN and supported by Member MALBURG.**

**WHEREAS, Rock Tops, Inc., a Michigan Corporation, has petitioned the Macomb Township Board for the creation of an Industrial Development District pursuant to the provisions of Act 198, Public Acts of 1974, as amended, within the unincorporated area of the Township; and,**

**WHEREAS, the Township of Macomb is a local governmental unit which levies ad valorem taxes at a rate which, when taken together with rates of ad valorem taxes levied by other taxing authorities which levy taxes within the Township of Macomb, equals or exceeds Thirty and 00/100 Dollars (\$30.00) for each One Thousand and 00/100 Dollars (\$1,000.00) of state equalized valuation, and thus qualifies as a local governmental unit empowered to establish an Industrial Development District pursuant to Act 198, supra; and,**

**WHEREAS, the Township Board has established February 12, 2003, at 7:00 P.M. as the date and time and the Township Offices located at 54111 Broughton Road, Macomb, Michigan 48042, as the place for holding of a public hearing on the question of whether an Industrial Development District should be established pursuant to the petition of Rock Tops, Inc.; and,**

**WHEREAS, the Township Board has given written notice of said hearing by certified mail to the owner of all real property within the proposed Industrial Development District,**

**WHEREAS, the Township Board has heard the comments of the owners of said land and other residents who have elected to communicate with the Township Board concerning the creation of an Industrial Development District, as herein contemplated; and,**

**WHEREAS, the Township Board has determined that the request for establishment of the Industrial Development District was filed prior to the commencement of construction;**

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**NOW, THEREFORE, BE IT RESOLVED** by the Township Board of the  
Township of Macomb, Macomb County, Michigan:

1. That the Township Board hereby deems the establishment of an Industrial District as proposed by Rock Tops, Inc. to be beneficial to the residents of the Township of Macomb, the further, said District will result in increased employment and an eventual and substantial increase in state equalized valuation of the Township of Macomb;

2. That an Industrial Development District is hereby established pursuant to the provisions of Act 198, Public Acts of 1974, as amended, the boundaries of said district being solely confined to the following described lands:

T3N., R13 Sec 17 Comm at SW ¼ Pt Sec 17; Th N89\*50'15" W 332.84 ft to POB; Th N89\*50'15" W 287.0 Ft; Th N00\*22'26" E 370.0 Ft; Th S89\*50'15"E E 287.0 ft; Th S00\*22'26" W 370.0 ft to POB. 2.438 A AKA 08-17-300-013

AYES: DUNN, MALBURG, OLIVER, BUCCI, MEERSCHAERT, KOEHS,  
BRENNAN.

NAYS: NONE.

ABSENT: NONE.

**RESOLUTION DECLARED ADOPTED.**

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*Michael D. Koehs*  
Macomb Township Clerk

#### **CERTIFICATE OF CLERK**

I hereby certify that the attached constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Macomb, County of Macomb, State of Michigan, at a regular meeting held on February 12, 2003, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by

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publication or posting at least eighteen (18) hours prior to the time set for the meeting.

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*Michael D. Koehs*  
Macomb Township Clerk

**MOTION carried.**

10. Request to rescind prior approval of Final Plat; Adrienne Estates Subdivision Permanent Parcel No. 08-34-151-014.

Supervisor BRENNAN reviewed the request.

Public Portion: None.

Petitioner: Bob Kirk present.

**MOTION by KOEHS seconded by OLIVER to table per the petitioners request for the Request to rescind prior approval of Final Plat; Adrienne Estates Subdivision Permanent Parcel No. 08-34-151-014.**

**MOTION carried.**

11. Rezoning; Agricultural (AG) to Commercial Shopping Center (C-3); Located on the west side of Romeo Plank Road south of 26 Mile Road; Pirrone Investment Co LLC, Petitioner. Permanent Parcel No. 08-06-200-034.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

Petitioner: Thomas Brennan present.

Supervisor BRENNAN reviewed that he has no interest in the property represented by his brother Thomas Brennan. Supervisor BRENNAN stated that he legally has to vote on the request.

**MOTION by DUNN seconded by OLIVER to approve the Rezoning; Agricultural (AG) to Commercial Shopping Center (C-3); Located on the west side of Romeo Plank Road south of 26 Mile Road; Pirrone Investment Co LLC, Petitioner. Permanent Parcel No. 08-06-200-034.**

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**MOTION carried.**

12. Rezoning; Commercial General Highway (C-4) to Commercial Shopping Center (C-3); Located south of 26 Mile Road west of Romeo Plank Road; Joe Pirrone, Petitioner. Permanent Parcel No. 08-06-200-036 & 038.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

Petitioner: Thomas Brennan representative and Joe Pirrone present.

**MOTION by MEERSCHAERT seconded by KOEHS to approve the Rezoning; Commercial General Highway (C-4) to Commercial Shopping Center (C-3); Located south of 26 Mile Road west of Romeo Plank Road; Joe Pirrone, Petitioner. Permanent Parcel No. 08-06-200-036 & 038.**

**MOTION carried.**

13. Rezoning; Residential One Family Suburban (R-1-S) to Residential Urban One Family (R-1); Located on the northeast corner of 25 Mile Road and Hayes Road (excluding the immediate corner); Elro Corporation, Petitioner. Permanent Parcel No. 08-06-300-009,010,011 & 018.

Public Portion: None.

Petitioner: Daniel S. Spatafora present.

**MOTION by MEERSCHAERT seconded by MALBURG to approve the Rezoning; Residential One Family Suburban (R-1-S) to Residential Urban One Family (R-1); Located on the northeast corner of 25 Mile Road and Hayes Road (excluding the immediate corner); Elro Corporation, Petitioner. Permanent Parcel No. 08-06-300-009,010,011 & 018.**

**MOTION carried.**

14. Final Plat; Sycamore Estates Subdivision; Located on the Southeast corner of Card Road and 22 Mile Road; Polaris Development, Petitioner. Permanent Parcel No. 08-26-100-001.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

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**MOTION by DUNN seconded by BUCCI to approve the Final Plat; Sycamore Estates Subdivision; Located on the Southeast corner of Card Road and 22 Mile Road, Polaris Development, Petitioner. Permanent Parcel No. 08-26-100-001.**

**MOTION carried.**

15. Final Plat; Sycamore Estates Subdivision No. 2; Located on the Southeast corner of Card Road and 22 Mile Road; Polaris Development, Petitioner. Permanent Parcel No. 08-26-100-001.

*This item was combined into Item No.14. Sycamore Estates Subdivision has one plat.*

16. Site Condominium Preliminary Plan; Regency Commerce Center Phase I and II; Located north of 23 Mile 2,000 feet west of Romeo Plank Road; Section 17; Regency Development LLC, Petitioner. Permanent Parcel No. 08-17-300-014.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request.

Public Portion: None.

Petitioner: Antonio Cavaliere present. Mr. Cavaliere reviewed the revisions to the 30 foot Greenbelt. Supervisor BRENNAN commended Mr. Cavaliere for his cooperation to satisfy the Township and residents.

**MOTION by KOEHS seconded by BUCCI to approve the Site Condominium Preliminary Plan; Regency Commerce Center Phase I and II; Located north of 23 Mile 2,000 feet west of Romeo Plank Road; Section 17; Regency Development LLC, Petitioner. Permanent Parcel No. 08-17-300-014.**

**MOTION carried.**

17. Amendments to the Zoning Ordinance No. 10; Complete list available at the Township Clerks Office.

Jerome R. Schmeiser, Community Planning Consultant and Supervisor BRENNAN reviewed the request.

Public Portion: None.

**MOTION by BUCCI seconded by MALBURG to adopt the amendments as presented.**

**MOTION carried.**

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**OLD BUSINESS:**

18. Request Release of Model Bond Permit; Westcreek Estates Subdivision. Section 18.

**MOTION by BUCCI seconded by MALBURG to approve the Release of Model Bond Permit; Westcreek Estates Subdivision. Section 18.**

**MOTION carried.**

**NEW BUSINESS:**

19. Model Permits; The Parc at Riverside Subdivision; Section 23 (lots: 47 and 50)

**MOTION by DUNN seconded by MALBURG to approve the Model Permits; The Parc at Riverside Subdivision; Section 23 (lots: 47 and 50)**

**MOTION carried.**

20. Request to schedule a Public Hearing Date for Street Lighting; Castle Mar Subdivision; Located in section 15.

**MOTION by OLIVER seconded by BUCCI to approve July 9, 2003 Public Hearing Date for Castle Mar Subdivision; Located in section 15.**

**MOTION carried.**

21. Request to schedule a Public Hearing Date for S.A.D. Street Lighting; Riverside Communities.

**MOTION by DUNN seconded By MALBURG to approve July 9, 2003 Public Hearing Date for S.A.D. Street Lighting; Riverside Communities.**

**MOTION carried.**

**BUILDING DEPARTMENT:**

Addition:

- 21a. Vehicle repair request.

Bob Beckett, Building Department Official reviewed the request for the Code Officer vehicle.

Public Portion: None

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**MOTION by MEERSCHAERT seconded by KOEHS to approve vehicle water pump total cost of One Thousand Five Hundred Fifty Two dollars and 78/100 (\$1,552.78). Vehicle No. 3 Code Officer.**

**MOTION carried.**

Addition:

21b. Vehicle Purchase Requisition requests.

Bob Beckett, Building Department Official reviewed the request.

Public Portion: Chris Smith Township resident stated her questions concerning price factors.

**MOTION by OLIVER seconded by KOEHS to approve the Purchase requisition as discussed for three (3) Ford Fleet # QR169 2003 F150 4X4 P.U. 139' Wheel Base 4.6 V-8 Engine includes air condition, power steering, vinyl bench seat, rear step bumper (gray), 6 ½ foot box, auto, electric 4 speed, am/fm radio cassette, power breaks, total cost of Fifty Three Thousand Forty Six Dollars and 00/100 (\$53,046.00).**

**MOTION carried.**

22. Request to adopt Resolution No. 1; Accepting formal petition and direct the Township Engineer to prepare plans and the total cost of the project; Sanitary Sewer Special Assessment; 24 Mile Road and Romeo Plank.

Supervisor BRENNAN requested to table the item.

23. Request to adopt Resolution No. 2; Set Public Hearing Date for Public Hearing No. 1 for necessity; 24 Mile Road and Romeo Plank.

Supervisor BRENNAN requested to table the item.

**PARK & RECREATION DEPARTMENT:**

24. Park Hours Request

Sal DiCaro, Parks & Recreation Director reviewed the request for Waldenburg Park. Mr. DiCaro recommended the Park Hours of Dawn to Dusk.

**MOTION by OLIVER seconded by BUCCI to approve the request for Waldenburg Park Hours as recommended from dawn to dusk.**



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**MOTION carried.**

**FIRE DEPARTMENT:**

25. Request permission to purchase ten Self Contained Breathing Apparatus air bottles.

Ray Ahonen, Fire Department Chief reviewed the request.

**MOTION by KOEHS seconded by DUNN to approve the purchase request of ten (10) Self Contained Breathing Apparatus Air bottles through Apollo, total cost of Eight Thousand Six Hundred Fifty dollars and 00/100 (\$8,650.00).**

**MOTION carried.**

**WATER & SEWER DEPARTMENT:**

26. Easement Encroachment Agreement, Rene K. Kilroy, 47416, Macomb, MI 48044, Lot 138, South Fork Estates No. 2.

David Koss, Water & Sewer Department Superintendent reviewed the request.

**MOTION by BUCCI seconded by KOEHS to approve the Easement Encroachment Agreement, Rene K. Kilroy, 47416, Macomb, MI 48044, Lot 138, South Fork Estates No. 2.**

**MOTION carried.**

27. Easement Encroachment Agreement, Keith A. and Kathleen M. Bowles, 18823 Pine Cone Drive, Macomb, MI 48042, Lot 3, Pinewood Villas West Subdivision.

David Koss, Water & Sewer Department Superintendent reviewed the request.

**MOTION by MEERSCHAERT seconded by MALBURG to approve the Easement Encroachment Agreement, Keith A. and Kathleen M. Bowles, 18823 Pine Cone Drive, Macomb, MI 48042, Lot 3, Pinewood Villas West Subdivision.**

**MOTION carried.**

28. Easement Encroachment Agreement, Richard M. Forbare, 49479 Lehr Drive, Macomb, MI 48044, Lot 145, Buckingham Woods Subdivision.

David Koss, Water & Sewer Department Superintendent reviewed the request.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY JUNE 11, 2003  
AT 7:00 P.M.

**MOTION by OLIVER seconded by KOEHS to approve the Easement Encroachment Agreement, Richard M. Forbare, 49479 Lehr Drive, Macomb, MI 48044, Lot 145, Buckingham Woods Subdivision.**

**MOTION carried.**

29. Request approval for Spalding DeDecker & Associates, Inc. to conduct Water Vulnerability Study.

David Koss, Water & Sewer Department Superintendent reviewed the request.

**MOTION by OLIVER seconded by MALBURG to authorize Spalding DeDecker & Associates, Township Engineers to prepare a Water Vulnerability Study for the Township; total cost of Thirty Seven Thousand Six Hundred Dollars and 00/100 (\$37,600.00) as discussed.**

**MOTION carried.**

**BOARD COMMENTS:**

30. SUPERVISOR COMMENTS:

Addition

- 30a. Request to schedule Budget Preliminary Numbers Public Hearing Date.

**MOTION by OLIVER seconded by KOEHS to schedule the Budget Preliminary Numbers Public Hearing date for Wednesday June 18, 2003 at 6:00P.M. at the Township Hall.**

**MOTION carried.**

Addition

- 30b. Informational

Supervisor BRENNAN reviewed the previous tragedy with the Township Water & Sewer Department Meter Pit. Mr. Brennan reviewed the awards granted from Michigan Municipal League Workers Compensation Fund. Mr. Brennan stated this is the second year that Macomb Township has been singled out for keeping the work place safe. Mr. Brennan thanked the Township employees for working to keep the Township environment a safe place.

31. CLERK COMMENTS:

Addition

- 31a. Informational

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY JUNE 11, 2003  
AT 7:00 P.M.

Clerk KOEHS stated we're coming into a Presidential Election year in 2004. Mr. Koehs stated the Governor signed into law a bill that eliminates the Presidential Preference Primary that would have occurred in 2004.

32. TREASURER COMMENTS: None.

33. TRUSTEES COMMENTS: None.

**EXECUTIVE SESSION:**

**MOTION by KOEHS seconded by DUNN to adjourn into Executive Session at 8:08 P.M.**

**Motion carried.** *The Members of the Board reconvened at 8:34P.M.*

34. Landtec Investments vs. Macomb Township; Proposed Consent Judgment.

**MOTION by KOEHS seconded by BUCCI to reject the Landtec Investments vs. Macomb Township; Proposed Consent Judgment.**

**MOTION carried.**

35. Immanuel Lutheran and Carian vs. Macomb Township; sewer Litigation

**MOTION by KOEHS seconded by MALBURG to authorize the Township Attorney to retain Spalding DeDecker & Associates assistants with the Immanuel Lutheran and Carian vs. Macomb Township; sewer Litigation .**

**MOTION carried.**

36. Bielat vs. Macomb Township

**MOTION by BUCCI seconded by OLIVER to not appeal the Bielat vs. Macomb Township Case.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by MEERSCHAERT seconded by KOEHS to adjourn the meeting at 8:35 P.M.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY JUNE 11, 2003  
AT 7:00 P.M.

Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, Clerk

Gabrielle M. Baker, Recording Secretary  
MDK/gmb